

City Council
Atlanta, Georgia

AN ORDINANCE
BY: ZONING COMMITTEE

Z-05-87
Date Filed: 8-09-05

**An Ordinance to amend Ordinance 02-O-0064
which rezoned property located at 4401
Northside Parkway, N.W. to O-I-C (Office-
Institutional-Conditional) District for the
purposes of a site plan amendment.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps be changed to reflect the revised plan titled Post Apartment Homes, LP. received by the Bureau of Planning on August 8, 2005, and that the previous site plan be deleted from the conditions of zoning, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 214, 215 and 236, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey/map.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

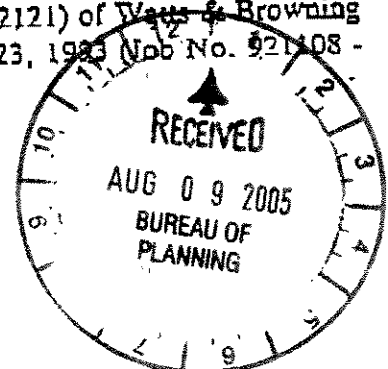
DESCRIPTION OF THE PROPERTY

ALL THAT TRACT or parcel of land lying and being in Land Lots 214, 215 and 236 of the 17th District, Fulton County, Georgia, and being more particularly described as follows:

To reach the POINT OF BEGINNING, commence at the intersection formed by the northerly right-of-way of Northside Parkway (variable right-of-way) and the westerly right-of-way of Mt. Paran Road (variable right-of-way) and proceed thence in a generally westerly and northwesterly direction along the northerly and northeasterly right-of-way of Northside Parkway (variable right-of-way) the following courses and distances: North $83^{\circ} 26' 41''$ west, 792.50 feet; north $06^{\circ} 33' 19''$ east, 25.00 feet; north $83^{\circ} 26' 41''$ west, 215.00 feet; north $83^{\circ} 36' 11''$ west, 790.80 feet; south $06^{\circ} 30' 49''$ west, 30.00 feet; north $83^{\circ} 34' 30''$ west, 801.72 feet; along the arc of a curve to the right 644.96 feet (said arc having a chord distance of 638.96 feet on a bearing of north $69^{\circ} 51' 15''$ west and a radius of 1,362.394 feet) to a point at the southwesterly corner of property conveyed to 4111 Northside Parkway Associates by Limited Warranty Deed recorded in Deed Book 16393, Page 165, Fulton County Records and the TRUE POINT OF BEGINNING; from the TRUE POINT OF BEGINNING as thus established run thence northwesterly along the northeasterly right-of-way of Northside Parkway (variable right-of-way) the following courses and distances: along the arc of a curve to the right 455.98 feet (said arc having a chord distance of 453.85 feet on a bearing of north $46^{\circ} 42' 15''$ west and a radius of 1,362.394 feet); north $37^{\circ} 10' 24''$ west, 363.67 feet; north $52^{\circ} 49' 36''$ east, 5.00 feet; north $37^{\circ} 10' 24''$ west, 315.00 feet; north $52^{\circ} 49' 36''$ east, 5.00 feet; north $37^{\circ} 10' 24''$ west, 113 feet, more or less, to a point on the top of the southeasterly bank of the Chattahoochee River; running thence in a northeasterly direction along the top of the southeasterly bank of the Chattahoochee River, and following the meanderings thereof, a distance of 3,130 feet, more or less, to a point on the southwesterly right-of-way of Interstate Highway No. 75 (variable right-of-way); running thence in a southeasterly direction along the southwesterly right-of-way of Interstate Highway 75 (variable right-of-way) the following courses and distances: south $40^{\circ} 14' 32''$ east, 71 feet, more or less; north $49^{\circ} 45' 28''$ east, 40.00 feet; south $40^{\circ} 14' 32''$ east, 542.69 feet; along the arc of a curve to the right 530.89 feet (said arc having a chord distance of 530.43 feet on a bearing of south $36^{\circ} 05' 52''$ east and a radius of 3,669.719 feet) to a point and the northwesterly corner of the 4111 Northside Parkway Associates property; thence departing the southwesterly right of way of Interstate Highway No. 75 and running south $36^{\circ} 42' 28''$ west along the property of 4111 Northside Parkway Associates a distance of 3,100.73 feet to the northeasterly right-of-way of Northside Parkway (variable right-of-way) and the POINT OF BEGINNING; containing 86.71 acres, more or less.

As shown on ALTA/ACSM Land Title Survey prepared for IBM and First American Title Insurance Company of New York dated November 25, 1991 and last revised February 25, 1995, by G. M. Gillespie (Georgia Registered Land Surveyor No. 2121) of Watts & Browning Engineers, Inc. dated November 25, 1991, last revised February 23, 1993 (Job No. 921108 - Folder Info. 911039 and 921108 I.B.M.).

Z-05-87



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9/19/05
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Atlanta City Council

REGULAR SESSION

MULTIPLE

05-O-1762 1761 1760 1759 1758 1757

05-O-1756 1755 1754 1751 1753

REFER

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

B Smith	Y Archibong	Y Moore	NV Mitchell
NV Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 7009
9/19/05
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Atlanta City Council

COMMITTEE OF THE WHOLE

MULTIPLE 05-O-1762 1761 1760 1759 1758 1757
 05-O-1756 1755 1754 1751 1753
 REFER

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

B Smith	Y Archibong	Y Moore	Y Mitchell
NV Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE